

PHILLIP A. TALBERT
United States Attorney
JEFFREY A. SPIVAK
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINCENT PORTER,

Defendant.

CASE NO. 1:22-CR-00113-JLT-SKO

JOINT STATUS REPORT AND STIPULATION
REGARDING EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT; ORDER

DATE: July 20, 2022
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

This case is set for status conference July 20, 2022. As set forth below, the parties now move, by stipulation, to continue the status conference to November 2, 2022, and to exclude the time period between July 20, 2022 and November 2, 2022 under the Speedy Trial Act.

The government apologizes for the late filing of this stipulation. The parties agreed to a continuance on July 12, 2022, and the government believed it had filed the stipulation, but it appears failed to do so. Defense counsel Assistant Federal Defender Christina Corcoran is in training this week and next week.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 20, 2022.
2. By this stipulation, defendant now moves to continue the status conference until

November 2, 2022, and to exclude time between July 20, 2022, and November 2, 2022, under Local Code T4.

///

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case is voluminous and includes many thousands of pages of documents, financial records, witness interviews, investigative reports, and other evidence. This is a large scale financial fraud case. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his/her client, review the charges, conduct investigation and research, review discovery and discuss potential resolution of the case. The COVID-19 Pandemic continues to make certain tasks, such as client meetings, and certain aspects of case investigation more difficult and more time consuming. .

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 20, 2022 to November 2, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

///

///

1 ///

2 ///

3 ///

4 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
6 must commence.

7 IT IS SO STIPULATED.

8
9
10 Dated: July 19, 2022

PHILLIP A. TALBERT
United States Attorney

11
12 /s/ JEFFREY A. SPIVAK
13 JEFFREY A. SPIVAK
Assistant United States Attorney

14
15 Dated: July 19, 2022

HEATHER E. WILLIAMS
Federal Defender

17 /s/ Erin Snider for
18 Christina Corcoran
Assistant Federal Defender
19 Counsel for Defendant

20
21
22 **ORDER**

23 IT IS SO ORDERED.

24
25 DATED: 7/19/2022

26 Sheila K. Oberto
27 HON. SHEILA K. OBERTO
28 UNITED STATES MAGISTRATE JUDGE